



VIA HAND DELIVERY APRIL 11, 2003

#5
SB
4/16/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kirkness et al.

Atty. Docket No.: PF105P1D2

Application No.: 10/004,832

Group Art Unit: 1646

Filed: December 7, 2001

Examiner: E. Kemmerer

For: Human Haemopoietic Maturation Factor

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys and/or Agents for Applicants hereby direct the Examiner's attention to references AA to BN listed on the attached Form PTO/SB/08. Copies of references AD-AE are enclosed.

Copies of references AA, AF, and AJ-AV were submitted by Applicants or cited by the Examiner in connection with U. S. Application No. 08/187,186, filed January 25, 1994 (now U.S. Patent No. 5,922,572), to which the instant application claims priority under 35 U.S.C. § 120. Copies of references AG-AI and AW-AZ were submitted by Applicants or cited by the Examiner in connection with U. S. Application No. 08/442,497, filed May 16, 1995 (now U.S. Patent No. 5,986,069), to which the instant application claims priority under 35 U.S.C. § 120. Copies of references AB-AC and BA-BN were submitted by Applicants or cited by the Examiner in connection with U. S. Application No. 09/333,033, filed June 15, 1999 (now U.S. Patent No. 6,346,246), to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the files of the above-listed priority applications for references AA-AC and AF-BN.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA clone of this application are related to SEQ ID NOS:15797 and 15798 in copending unpublished U.S. Application No. 09/912,292, filed July 26, 2001. A legible copy of that portion of U.S. Application No. 09/912,292, which caused it to be listed on the attached Form PTO/SB/08 is submitted herewith as reference AE. Applicants note that SEQ ID NOS:15797 and 15798 are disclosed, but not claimed, in U.S. Application No. 09/912,292.

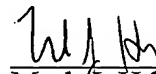
The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application, and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(b), because this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, no fee is believed due. However, should the Patent Office determined otherwise, please charge any required fee to our Deposit Account No. 08-3425.

Respectfully submitted,

Dated: April 11, 2003



Mark J. Hyman
Attorney for Applicants

Reg. No. 46,789

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Telephone: 240-314-1224

Enclosures